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January 8, 2002 (signature)

Kathleen J. Moore

(typed name of person signing certificate)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re Application of: Dirk Joedicke, Hans-Joachim Becker, Group Art Unit: 2872 Volker Gumprich and Richard Batchelor Serial No. 09/914,082 Examiner: Filed: March 11, 2002 Electrochromic Element Attorney Docket: 1-15478

January 8, 2002

Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Honorable Sir:

For:

Pursuant to Section 1.97 of Title 37 of the Code of Federal Regulations, and prior to the issuance of a First Office Action, record is hereby made of published prior art which the United States Patent and Trademark Office may wish to consider during examination of the above-entitled application, which was filed under 35 USC 371. No representation is made or intended that a prior art search was conducted, or that no better art than that listed is available.

U.S. Patent No.	Date of Issuance	<u>Inventor(s)</u>	
4,761,061	August 2, 1988	Nishiyama et al	
5,122,896	June 16, 1992	Mizusaki et al	
5,859,723	January 12, 1999	Joedicke et al	
6,011,487	December 14, 1999	Ladang et al	
6,020,423	February 1, 2000	Joedicke et al	
Foreign Country/Patent No.	Date of Publication	Applicant	
European EP 0 836 932 A	April 22, 1998	Saint Gobain Vitrage	
European EP 0 683 215 A	November 22, 1995	Flachglas AG	
WIPO WO 95/31746 A	November 23, 1995	Flachglas AG	
Japan JP 04 328 723 A	November 17, 1992	Tonen Corp.	

Other Prior Art

Patent Abstracts of Japan, vol. 017, No. 166 (P-1514), 30 March 1993 & JP 04 328723 A (Tonen Corp), 17 November 1992 (1992-11-17).

Copies of the above-referenced documents are enclosed, along with IDS Form PTO/SB/08A and 08B. European patent document EP 0 836 932 corresponds to US 6,011,487 and patent document EP 0 683 215 corresponds to US 5,859,723, US 6,020,423 and WO 95/31746.

The following documents were cited in the International Search Report dated May 19, 2000 (English translation attached hereto as Exhibit A), which was issued by the European Patent Office in corresponding International Application No. PCT/DE00/00553, priority of which is claimed: US 4,761,061; US 6,233,896; EP 0 836 932 A; EP 0 683 215 A; and JP 04 328 723.

The following documents were also cited in the International Preliminary

Examination Report dated December 13, 2000 (English translation attached hereto as

Exhibit B), which was issued by the European Patent Office in corresponding International

Application No. PCT/DE00/00553, priority of which is claimed: US 4,761,061; US

5,122,896; EP 0 836 932 A; EP 0 683 215 A; and JP 04 328 723 A.

European patent document EP 0 836 932 is discussed in the specification of this application on pages 2 and 3, and patent documents EP 0 683 215 and WO 95/31746 are both discussed in the specification of this application on pages 7 and 8.

It is requested that these references be fully considered and made of record in this case.

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PTO/SB/08A (10-01)
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Substitute for form 1449A/PTO				Complete if Known		
				Application Number	09/914,082	
INFORMA	TION DISC	CLOSU	IRE	Filing Date	March 11, 2002	
STATEMENT BY APPLICANT			NT	First Named Inventor	Dirk Joedicke et al.	
(use as many sheets as necessary)				Art Unit	2872	
				Examiner Name		
Sheet	1	of	2	Attorney Docket Number	1-15478	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
	No.1	Number-Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	,	US- 4,761,061	08-02-1988	Nishiyama et al	
		US-5,122,896	06-16-1992	Mizusaki et al	
		US-5,859,723	01-12-1999	Joedicke et al	corresp to EP 0 683 215
		US-6,011,487	12-14-1999	Ladang et al	corresp to EP 0 836 932
		US-6,020,423	02-01-2000	Joedicke et al	corresp to EP 0 683 215
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines	T
Initials	No. ¹	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶
		JP 04 328 723 A	11-17-1992	Tonen Corp.	English abstract attach	
		EP 0 836 932 A	04-22-1998	Saint Gobain Vitrage	corresp to US 6,011,487	
		EP 0 683 215 B1	11-22-1995	Flachglas AG	corresp to US 6,020,423;	√
	<u></u>				5,859,723 & WO 95/31746	
		WO 95/31746 A1	11-23-1995	Flachglas AG	corresp. to EP 0 683 215;	1
					US 6,020,423 & 5,859,723	
						1

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

¹ Applicant's unique citation designation number (optional). ²See Kinds Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁵Applicant is to place a check mark here if English language Translation is attached.

Complete if Known 09/914.082 Substitute for form 1449A/PTO Application Number March 11, 2002 Filing Date **INFORMATION DISCLOSURE** Dirk Joedicke et al. First Named Inventor STATEMENT BY APPLICANT 2872 Group Art Unit **Examiner Name** (use as many sheets as necessary) 1-15478 Sheet of Attorney Docket Number 2 2

		1	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
	Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
PE	· VC8		Patent Abstracts of Japan, vol. 017, No. 166 (P 1514), March 30, 1993 &	
· NA	132003 当		JP 04 328723 A (Tonen Corp), 17 November 1992	
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